

REMARKS

Claims 1-20 remain pending in the application and stand rejected as being unpatentable over Nguyen, et al. *A Web-Based Teaching Program for Laboratory Diagnosis of Coagulation Disorders*, Arch. Pathol. Lab. Med. Vol 124, April 2000 pp. 588-593 ("Nguyen") in view of Beck et al. US Publication 2002/0178126 A1 ("Beck"). Applicants respectfully traverse the rejection and request reconsideration.

Without further commenting on the characterization of Nguyen and Beck as cited by the examiner and/or the motivation of one skilled in the art to combine these references, and reserving the right to do so at a later date if necessary, applicants agree with the examiner that Nguyen fails to teach or disclose coupling of a hemostasis analyzer to an analysis via a communication link. For at least these reasons, and others not discussed herein, claims 1-20 are allowable over Nguyen alone.

The examiner cites Beck as providing this missing teaching, and indicates that the claims would be unpatentable over Nguyen in view of Beck. Applicants assert that Beck is not a reference that may be cited against the present application.

Beck is prior art, if at all, only under 35 U.S.C. § 102(e). The effective date of Beck as a reference is its US filing date of May 25, 2001. Applicants herewith submit a the Combined Declaration of Eli Cohen, Irene A. Navickas and Benjamin M. Cohen setting forth the fact that the presently claimed invention was conceived in the United States at least as early as May 25, 2001. In view of this Declaration, Beck is not properly cited against the claims.

Therefore, applicants submit claims 1-20 are allowable, and such action is requested. The examiner is invited to contact the applicants' undersigned attorney with any questions regarding this response and/or the application as a whole.

The commissioner is authorized to charge any deficiency in the amount enclosed or any additional fees which may be required to Deposit Account No. 13-2855.

Dated: February 23, 2004

Respectfully submitted,

By 

Anthony G. Sitko

Registration No.: 36,278

MARSHALL, GERSTEIN & BORUN

233 S. Wacker Drive, Suite 6300

Sears Tower

Chicago, Illinois 60606-6357

(312) 474-6300

Attorneys for Applicant